



भारतीय दूरसंचार विनियामक प्राधिकरण

महानगर दूरसंचार भवन, जवाहर लाल नेहरू मार्ग,
(पुराना मिनटो रोड), नई दिल्ली-110002

TELECOM REGULATORY AUTHORITY OF INDIA

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No. 406-10/2005- I&FN (Vol. II)

Dated the 18th October, 2011

DIRECTION

Subject: Direction under section 13, read with sub-clauses (i),(ii), (iii), (v) and (vi) of clause (b) of sub-section (1) of section 11 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997) to Bharat Sanchar Nigam Ltd.(BSNL) to restore all POIs disconnected by it in the Punjab Service Area.

Whereas the Telecom Regulatory Authority of India [hereinafter referred to as the Authority], established under sub-section (1) of section 3 of the Telecom Regulatory Authority of India Act, 1997 (24 of 1997) (hereinafter referred to as TRAI Act, 1997), has been entrusted with discharge of certain functions, *inter alia*, to regulate the telecommunication services, protect the interests of consumers of the telecom sector, ensure compliance of terms and conditions of licence, ensure technical compatibility and effective inter-connection between different service providers, and ensure the quality of service so as to protect the interest of the consumers of telecommunications service;

2. And whereas it has been brought to the notice of the Authority that BSNL has disconnected L1 and L2 TAX POIs of some of the service providers in the Punjab Service Area;

3. And whereas unavailability of interconnection between networks of service providers results in non-completion of calls, causes disruption of service and inconvenience to the subscribers of both the interconnecting service providers and leads

to deterioration in the Quality of Service provided by the service provider and is against the interest of the consumers and service providers;

4. And whereas clause 17.6 of the Basic Telephone Service Licence provides as under:-

"The terms and conditions of Interconnection including standard interfaces, points of Interconnection and technical aspects will be as mutually agreed between the service providers subject to compliance of prevailing regulations, directions and determinations issued by TRAI under TRAI Act 1997";

5. And whereas clause 26.5 of the Unified Access Service Licence provides as under:-

"It shall be mandatory for the LICENSEE to provide interconnection to all eligible Telecom Service Providers as well as NLD Operators whereby the subscribers could have a free choice to make inter-circle/ international long distance calls through NLD/ILD Operator.....";

6. And whereas clause 26.7 of the Unified Access Service Licence provides as under:-

"Point of Inter-connection (POI) between the networks shall be governed by Guidelines/ Orders/ Directions/ Regulation issued from time to time by Licensor/ TRAI.";

7. And whereas similar issue of disconnection of POIs by BSNL is pending adjudication before the Hon'ble TDSAT in the Petition Nos. 395, 400 and 401 of 2011 filed by the service providers wherein the Hon'ble Tribunal has, inter-alia, passed the following order on 30th September, 2011:-

